

APPENDIX 6I

CHECKLIST FOR SUPPORTING DOCUMENTATION

Identifying the best corroborating evidence for an application for asylum, withholding of removal, and Convention Against Torture (CAT) relief takes time and collaboration between the practitioner, the applicant, the applicant's contacts both in the United States and abroad, and professionals, such as doctors, mental health professionals, academics, scholars, and even other lawyers. Below is a list of potential corroborating evidence to help practitioners get started on the process of identifying the best documentation to support an application for relief. Note that this list is not exhaustive. Practitioners should think outside the box and be creative, as well as brainstorm with the applicant – he or she is often the best resource for identifying supporting documentation.

- Identity documents and other official government documents.

- Documentation of family relationships to:
 - All derivative applicants;
 - Any witnesses; and
 - Any people referenced in the applicant's sworn declaration.

- Privately issued membership cards, letters from organizations or institutions, or other affiliation documents.

- Objective, published descriptions of the characteristics or attributes, which designate members of the applicant's race, religion, nationality, political opinion, or social group.

- Witness affidavits from:
 - People who can confirm the applicant's protected characteristic(s);
 - People who were present during the act(s) of harm or mistreatment;
 - People to whom the applicant confided about the incident(s);
 - People who observed the symptoms of any physical or psychological harm, such as markings on the applicant's body, torn clothes, injuries, crying, anxiety, or other unusual behaviors;
 - People who have personal knowledge of any events referenced in the applicant's sworn declaration;
 - People who have personal knowledge of the current conditions in the country of feared persecution/torture, including how the society in question perceives certain social groups or other protected characteristics, how persecutors view and treat people similarly situated to the applicant, any known views of the applicant, whether the government provides meaningful protection, the conditions that might make it impossible or unreasonable for the applicant to relocate internally, and what they believe would happen to the applicant upon his or her return;
 - People who have personal knowledge of any ongoing threats against the applicant or the applicant's family, friends, associates;

- People who are similarly situated to the applicant who have suffered similar persecution and/or torture in the country of feared persecution and/or torture; and
- People who have personal knowledge of the applicant's flight, journey to the United States, and means, timing, and location of arrival.

- Identity documents for any witnesses.

- Photographs of:
 - The applicant participating in various events;
 - The applicant's injuries or physical harm suffered; and
 - People and/or events referenced in the applicant's sworn declaration.

- Police reports documenting the harm suffered or threatened.

- Arrest warrants or records, if the applicant was ever arrested due to his or her protected characteristic.

- Medical records, including:
 - Appointment records;
 - Diagnoses and treatment reports;
 - X-rays and photographs;
 - Hospital admission and discharge records;
 - Documentation of prescribed medications and treatments;
 - Letters from treating doctors, both abroad and in the United States;
 - Current prescribed medications; and
 - Evaluations of physical injuries and the likely cause of those injuries.

- Mental health records, including:
 - Appointment records;
 - Diagnoses and treatment reports;
 - Hospital admission and discharge records;
 - Documentation of prescribed medications and treatments;
 - Letters from treating mental health professionals, both abroad and in the United States;
 - Current prescribed medications; and
 - Evaluations of mental health disorders and the likely trigger for those disorders.

- Medical, mental health, and death certificates of people similarly situated to the applicant who were targeted because of their qualifying characteristic(s).

- Newspaper or other media coverage, or coverage by human rights groups, of specific events in which the applicant was involved.

- Demonstrative evidence, such as maps, models, drawings, charts, or graphs.

- Expert affidavits addressing:
 - The conditions in the applicant's country of feared persecution as they related specifically to his or her protection claim; and
 - The laws of other countries, including citizenship and nationality laws, immigration laws, family laws, and criminal laws.
- Country conditions reports and articles showing the conditions in the applicant's country of feared persecution during the time of persecution and presently.
- Copies of other countries' laws, including citizenship and nationality laws, immigration laws, family laws, criminal laws, and other laws that may show a particular social group is socially distinct and/or particular.
- Statistics, sociological studies, and scholarly research.
- Evidence of any failed attempts to obtain certain corroborating documentation (letters, faxes, emails, phone bills, social media contacts, affidavits documenting in-person attempts, etc.).
- Evidence documenting why it would be dangerous for the applicant or his or her contacts to attempt to obtain certain corroborating documentation.
- Evidence of travel to the United States, including airline itineraries, bus or train tickets, hotel receipts, etc.
- Entry documentation, including I-94 records, visa, and stamped passport (even if false).
- Evidence of presence outside of the United States in the past year, including financial, medical, school, or work records (if one-year filing deadline is at issue).
- Certified final dispositions for any arrests, charges, citations, or convictions in the United States or anywhere in the world.
- Evidence of good moral character and rehabilitation, if needed.
- Certified English translations for all documents that are not in the English language. See appendix 6M for a sample certificate of translation that complies with the regulatory language.
- One passport-style photograph of the applicant and each derivative.
- Unpublished circuit court, BIA, and IJ decisions.
- Brief or legal memorandum setting forth the applicant's eligibility for asylum, withholding of removal, and/or CAT relief.